UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DAVID MCCARREN,
MAURICE ALLEN-JULIUS STEWART,
LEVERTIS RILEY, IV, AND
WALTER GALLOWAY

Plaintiffs,	Case No. 23-cv-13129
	Case No. 25-cv-10116
	Case No. 25-cv-10117
	Case No. 25-cv-10118

v.

RAPHAEL WASHINGTON,
ROBERT DUNLAP,   Hon. Brandy R. McMillion
ANTHONY BOYER,   Mag. Judge David R. Grand
PAMELA DONOHO-ROSE,
KARMEN RAMIREZ,
KENNETH TOTH,
TONIA WILLIAMS,
CIERRA CRAWFORD, and
PRYOR,,

        Defendants.

_____/

ORDER ADOPTING RECOMMENDED DISPOSITION OF REPORT
AND RECOMMENDATION (ECF NO. 34) AND DENYING WITHOUT
PREJUDICE PLAINTIFFS' RENEWED EMERGENCY MOTION
FOR PRELIMINARY INJUNCTION (ECF NO. 30)

Pro se Plaintiffs Michael David McCarren, Maurice Allen-Julius Stewart,

Levertis Riley, IV, and Walter Galloway, pretrial detainees in the Wayne County Jail,

brought this prisoner civil rights action against Defendants Raphael Washington,

Robert Dunlap, Anthony Boyer, Pamela Donoho-Rose, Karmen Ramirez, Kenneth

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Toth, Tonia Williams, Cierra Crawford, and Pryor (collectively, "Defendants"), under 42 U.S.C. § 1983, challenging their conditions of confinement. *See generally* ECF No. 1.

This matter was originally assigned to the Honorable George Caram Steeh but reassigned to the undersigned on April 2, 2024. On April 4, 2024, this Court referred all pretrial matters to Magistrate Judge Anthony P. Patti. ECF No. 15. On July 23, 2024, Plaintiffs filed a Renewed Emergency Motion for Preliminary Injunction. ECF No. 30. While that motion was pending, Defendants filed a Motion to Stay Proceedings until the Court ruled on a previous Motion to Sever. *See* ECF No. 31, 25. On September 9, 2024, the Court granted the stay to determine who the proper parties to this action should be. On January 8, 2025, the Court granted the Motion to Sever. ECF No. 33. That same day, Magistrate Judge Patti issued a Report and Recommendation (R&R) recommending that the undersign deny without prejudice Plaintiffs' Renewed Motion for Preliminary Injunction (ECF No. 30) to be refiled in each of the severed cases if the Plaintiffs decided to pursue the individual severed actions. *See* ECF No. 34, PageID.393. At the end of the R&R, the Magistrate Judge advised the parties that to seek review of his recommendation, they had to file specific objections with the Court within 14 days of service of the R&R. *Id.* at PageID.393-394.

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As of the date of this order, January 27, 2025—19 days since the Magistrate Judge filed the R&R—none of the parties have filed objections to the R&R or contacted the Court to ask for more time to file objections. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also Ivey v. Wilson*, 832 F.2d 950, 957-58 (6th Cir. 1987) (explaining that a party's failure to timely object to a report and recommendation allows a court to accept the recommendation "without expressing any views on the merits of the magistrate's conclusions"). Similarly, failure to object to an R&R forfeits any further right to appeal. *See Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019) (recognizing that a party forfeits their right to appeal by failing to timely file objections to an R&R).

Accordingly, because no objections to the R&R have been filed, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of Plaintiffs' motion (ECF No. 34) is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiffs' Renewed Motion for Preliminary Injunction (ECF No. 30) is **DENIED WITHOUT PREJUDICE**, to be refiled in each individual severed case, if Plaintiffs so desire.

IT IS FURTHER ORDERED that the Clerk of the Court shall file this Order in each of the severed cases – Case No. 25-cv-10116 (*Maurice Stewart v. Raphael*

Washington, et al), Case No. 25-cv-10117 (*Levertis Riley, IV v. Raphael Washington, et al*) and Case No. 25-cv-10118 (*Walter Galloway v. Raphael Washington, et al*).

IT IS SO ORDERED.

Dated: January 27, 2025

s/Brandy R. McMillion
Hon. Brandy R. McMillion
United States District Judge